AMENDMENTS TO THE CLAIMS:

The following listing of claims supersedes all prior versions and listings of claims in this application:

1.-2. (Canceled).

3.   (Currently Amended) A method of controlling access to a communications resource in which capacity made available to each of a plurality of users is limited to a maximum value ~~which bears an inverse relationship to a measure, made over a previous period, of usage of that resource relative to usage made by other members of the said plurality of users~~, said method comprising:

using a measuring means to obtain a measurement of ~~the~~ usage that each member of the plurality of users made of the resource over a predetermined period,

using a sorting means to place each member of the plurality of users that currently have active connections to the resource in a rank order relative to one another, the ranking being made according to the measurements, made using the measurement means, of the usage that each member made of the resource,

using a calculating means to apply a restriction factor to each user according to that user's position in the rank order and how many users currently ~~require access~~<u>have active connections</u>,

thereby restricting availability of the resource to each of the plurality of users that currently have active connections to the resource,

wherein the restriction factors allocated to adjacently ranked users differ by a ratio which is constant over all users.

4.-10. (Canceled).

11. (Currently Amended) A method of controlling access to a communications resource in which capacity made available to each of a plurality of users is limited to a maximum value ~~which bears an inverse relationship to a measure, made over a previous period, of usage of that resource relative to usage made by other members of the said plurality of users~~, said method comprising:

using a measuring means to obtain a measurement of ~~the~~ usage that each member of the plurality of users made of the resource over a predetermined period,

using a sorting means to place each member of the plurality of users that currently have active connections to the resource in a rank order relative to one another, the ranking being made according to the measurements, made using the measurement means, of the usage that each member made of the resource,

using a calculating means to apply a restriction factor to each user according to that user's position in the rank order and how many users currently <u>have active connections</u>~~require access~~,

thereby restricting availability of the resource to each of the plurality of users that currently have active connections to the resource.

12.   (Currently Amended) Apparatus for controlling access to a communications resource having means for allocating capacity to each of a plurality of users ~~in inverse relationship to a measure, made over a previous period, of usage of that resource relative to usage made by other members of the said plurality of users~~, said apparatus comprising:

measuring means for measuring ~~the~~ usage that each member of the plurality of users made of the resource over a predetermined period,

sorting means for ranking each member of the plurality of users that currently have active connections to the resource in a rank order relative to one another, the ranking being made according to the measurements, made using the measurement means, of the usage that each member made of the resource,

calculation means for calculating a restriction factor to each member of the plurality of users that currently have active connections to the resource according to that user's position in the rank order and how many users currently <u>have active connections</u> ~~require access~~ to the resource.

13. (Currently Amended) A method according to claim 11, in which the restriction factor allocated to ~~the~~ a user having made ~~the~~ a least usage over ~~the~~ a previous predetermined period is unity.

14.   (Previously presented) Apparatus according to claim 12, associated with a modem associated with a server controlling access to the internet.

15.   (Previously presented) Apparatus according to claim 12, associated with a switching system for controlling access to an internet service provider.

16.   (Previously presented) A method according to claim 11, in which each user is given a unique ranking.

17.   (Previously presented) Apparatus according to claim 12 in which the sorting means is arranged to give a unique ranking to each said user ~~requiring access~~ having an active connection.

18.   (New) A method of controlling access to a communications resource in which capacity made available to each of a plurality of users is limited to a maximum value, said method comprising:

obtaining, using a computer server, a measurement of usage that each member of the plurality of users made of the resource over a predetermined period,

placing, using the computer server, each member of the plurality of users that currently have active connections to the resource in a rank order relative to one another, the ranking being made according to the measurements of the usage that each member made of the resource over the predetermined period,

applying, using the computer server, a restriction factor to each user according to that user's position in the rank order and how many users currently have active connections, thereby restricting availability of the resource to each of the plurality of users that currently have active connections to the resource,

wherein the restriction factors allocated to adjacently ranked users differ by a ratio which is constant over all users.

19.   (New) A method of controlling access to a communications resource in which capacity made available to each of a plurality of users is limited to a maximum value, said method comprising:

obtaining, using a computer server, a measurement of usage that each member of the plurality of users made of the resource over a predetermined period,

placing, using the computer server, each member of the plurality of users that currently have active connections to the resource in a rank order relative to one another, the ranking being

made according to the measurements of the usage that each member made of the resource over

the predetermined period, wherein the rank order is ordered from least usage to most usage; and

applying, using the computer server, a restriction factor to each user according to that

user's position in the rank order and how many users currently have active connections, thereby

restricting availability of the resource to each of the plurality of users that currently have active

connections to the resource.

20. (New) Apparatus according to claim 12, wherein the restriction factors allocated to

adjacently ranked users differ by a ratio which is constant over all users.